

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:22-CR-217-M-RN-1

UNITED STATES OF AMERICA

v.

NOAH EDWIN ANTHONY

UNOPPOSED  
MOTION TO CONTINUE  
ARRAIGNMENT AND TRIAL

The defendant, Noah Edwin Anthony, by and through counsel, respectfully moves the Court to continue the arraignment and trial currently scheduled for April 11, 2023, to the April 25, 2023 term of court. The following is offered in support of this request:

1. Mr. Anthony was named in an Indictment filed on September 13, 2022, charging him with receiving and possessing an unregistered firearm with a barrel of less than sixteen (16) inches in length, in violation of 26 U.S.C. §§ 5841, 5861(d) and 5871. Mr. Anthony was arrested on September 23, 2022.
2. The Office of the Federal Public Defender was appointed to represent Mr. Anthony on September 26, 2022. Defense counsel entered his Notice of Appearance on September 27, 2022.
3. The arraignment is currently scheduled for April 11, 2023.
4. Mr. Anthony is in the custody of the United States Marshals Service at the New Hanover County Jail.
5. Defense counsel is scheduled to be on Annual Leave the week of April 10, 2023, including prepaid air travel and accommodations.

6. Additionally, counsel is awaiting a final determination as to whether Mr. Anthony will enter a plea with or without the Plea Agreement.
7. Defense counsel respectfully requests that the arraignment be continued to the April 25 term of court.
8. Assistant United States Attorney Gabriel J. Diaz has indicated that he does not oppose this Motion.
9. This Motion is made in good faith and not for the purposes of delay. Neither the Government nor the defendant would be prejudiced by the continuance sought herein.

WHEREFORE, the Defendant respectfully requests that the arraignment in this matter be continued to the Court's April 25, 2023 term, or to a date that the Court deems appropriate. The ends of justice served by this Motion outweigh the interests of the public and the Defendant in a speedy trial as set forth in 18 U.S.C. § 3161(h)(7)(A).

Respectfully requested this 21<sup>st</sup> day of March, 2023.

G. ALAN DuBOIS  
Federal Public Defender

/s/ Christopher J. Locascio  
CHRISTOPHER J. LOCASCIO  
Assistant Federal Public Defender  
Attorney for Defendant  
Office of the Federal Public Defender  
150 Fayetteville Street, Suite 450  
Raleigh, North Carolina 27601  
Telephone: 919-856-4236  
Fax: 919-856-4477  
E-mail: Chris\_Locascio@fd.org  
N.C. State Bar No. 29326  
LR 57.1 Counsel Appointed

*CERTIFICATE OF SERVICE*

I hereby certify that a copy of the foregoing was served upon:

GABRIEL J. DIAZ  
United States Attorney's Office  
150 Fayetteville Street, Suite 2100  
Raleigh, NC 27601

by electronically filing the foregoing with the Clerk of Court on this date, using the CM/ECF system which will send notification of such filing to the above.

This the 21<sup>st</sup> day of March, 2023.

/s/ Christopher J. Locascio  
CHRISTOPHER J. LOCASCIO  
Assistant Federal Public Defender  
Attorney for Defendant  
Office of the Federal Public Defender  
150 Fayetteville Street, Suite 450  
Raleigh, North Carolina 27601  
Telephone: 919-856-4236  
Fax: 919-856-4477  
E-mail: Chris\_Locascio@fd.org  
N.C. State Bar No. 29326  
LR 57.1 Counsel Appointed